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#6

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application

PATENT APPLICATION

Inventor(s): Ned S. Rasor, et al.

SC/Serial No.: 09/614,389

Filed: 7/12/2000

Title: METHODS AND APPARATUS
FOR RELIEVING HEADACHES,
RHINITIS AND OTHER
COMMON AILMENTS

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Jill L. Robinson, Reg. No. 34,911
Signature Date: April 23, 2002

(Attorney Signature)

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RESPONSE TO OFFICE ACTION

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

This Response is made to the Office action mailed 2/25/2002 in the above-referenced application. A shortened period for reply is set to expire 3 months from the date of mailing.

The Examiner has required restriction under 35 U.S.C. 121 to either:

- I. Claims 1-26 for a method of delivering gas to a user;
- II. Claims 28-55 & 58 for a device & kit for delivering gas to a user;
- III. Claims 56-57 for a treatment gas supply system; and
- IV. Claims 59 - 60 for a Needle for gas delivery.

Applicants hereby elect Group I.

As the Applicants have elected Group I, the Examiner has further required election of either Species A for methods of gas delivery to a user's Oro-nasal cavities or Species B for methods of gas delivery to a user's ocular region.

Applicants hereby elect Species A.

However, Applicants respectfully traverse the restriction requirement.

Additionally, Applicants note that a Preliminary Amendment was filed September 4, 2001 (corrected as to form October 24, 2001) which amended certain claims and added claims 61 - 105. A copy of the Preliminary Amendment is attached.

Applicants list the following claims added in the Preliminary Amendment as readable on the elected Group I, Species A:

61-63; 65-71; 75-76; and 102-103.

Respectfully submitted,

Date: April 23, 2002

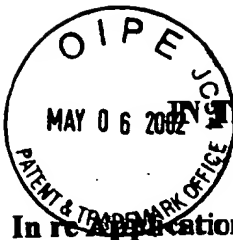
By: _____

Jill L. Robinson
Reg. No. 34,911

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application)

Inventor(s): Ned S. Razor, et. al)

SC/Serial No.: 09/614,389)

Filed: July 12, 2000)

Title: Method and Apparatus for)
Relieving Headaches, Rhinitis and)
Other Common Ailments)

PATENT APPLICATION

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I hereby certify that this correspondence is being deposited in the United States Postal Service "Express Mail Post Office to Addressee" service 1.10 addressed to Assistant Commissioner for Patents, Washington, D.C. 20231 on October 24, 2001.

(Attorney Signature)

Jill L. Robinson, Reg. No. 34,911

Signature Date: October 24, 2001

Assistant Commissioner for Patents
Washington, D.C.

Sir:

**Preliminary Amendment
(Corrected)**

This document is filed to correct the Preliminary Amendment filed September 4, 2001 which was inadvertently filed in non-compliant form. This amendment is identical in content to the Preliminary Amendment filed September 4, 2001. No new matter has been added.

1. Amendment

In the Specification:

Please amend the Specification by replacing the following paragraphs as indicated: